

A BILL FOR AN ORDINANCE

RELATING TO BUILDING PERMITS AND FEES.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. The purpose of this ordinance is to exempt photovoltaic solar electric power systems from the payment of certain permit fees.

SECTION 2. Section 18-6.5, Revised Ordinances of Honolulu 1990, is amended to read as follows:

"Sec. 18-6.5 Exemptions.

- (a) The city, all agencies thereof and contractors therewith shall be exempt from the requirement of paying plan review and permit fees.
- (b) The building official may grant an exemption from the requirement of paying plan review and permit fees for any person seeking to restore or reconstruct a structure damaged or destroyed as a result of a major disaster. For the purposes of this section:
 - (1) "Major Disaster" means any hurricane, tornado, storm, flood, high water, tsunami, earthquake, volcanic eruption, landslide, mud slide, fire, explosion or other catastrophe occurring in any part of the City and County of Honolulu that causes damage, suffering and loss to such a degree that:
 - (A) The President of the United States has declared, pursuant to the Disaster Relief Act of 1974, P.L. 93-288, that a major disaster exists such that the City and County of Honolulu or any part thereof is eligible for federal disaster assistance programs;
 - (B) The governor of the State of Hawaii has declared pursuant to HRS Chapter 209 that a major disaster has occurred;
 - (C) The mayor has issued a proclamation declaring the existence of a major disaster; or
 - (D) The council has adopted a resolution declaring the existence of a major disaster.



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- (2) "Restore and reconstruct" means any repair or other work performed to return a structure to its former condition that does not increase the floor area of the structure beyond that of the structure prior to the major disaster, is in conformance with the building code, flood hazard regulations, land use ordinance, and other applicable laws, and is started within two years of the major disaster.
- (3) The burden of proof that work to be performed qualifies for an exemption from the payment of building permit fees due to a major disaster shall be on the owner of the structure. An applicant filing for such exemption shall certify in writing that the work to be performed shall be in conformance with the requirements of this section.
- (c) All owners and their contractors shall be exempt from paying that portion of any building permit fee for permits issued after September 15, 1994 attributable to the installation of ultra-low flush toilets that they install on their properties to replace existing nonultra-low flush toilets.
- (d) The building official shall waive the collection of any building permit fee for a period of three years where the business has been certified to be a qualified business pursuant to Section 35-1.3.
- (e) The building official shall waive the collection of any building permit fee for any person seeking to replace a dilapidated dwelling unit located on homestead land leased under the Hawaiian Homes Commission Act of 1920. For the purposes of this section:
 - (1) "Dilapidated dwelling unit" means any residential home that has significantly deteriorated because of age, termites or other causes, which make the home unsafe, uninhabitable or unhealthy.
 - (2) The burden of proof that a dwelling unit is dilapidated which qualifies for an exemption from the payment of building permit fees shall be on the owner of the unit. An applicant filing for such exemption shall attach acceptable proof that the dwelling unit is dilapidated to the building permit application.
 - (3) The replacement home may increase the floor area of the originally demolished or removed structure.
- (f) Plan review fees and building permit fees shall not be required for the installation of photovoltaic solar electric power systems."



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE 08-1
BILL 76 (2007)

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SECTION 3. New ordinance material is underscored. When revising, compiling, or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the revisor of ordinances need not include the underscoring.

SECTION 4. This ordinance shall take effect upon its approval.

INTRODUCED BY:

DATE OF INTRODUCTION:

OCT - 3 2007

Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Amy R. Kuroki
Deputy Corporation Counsel

APPROVED this 7th day of February, 2008
~~2007~~

Mufi Hannemann
MUFU HANNEMANN, Mayor
City and County of Honolulu

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

ORDINANCE 8 - 1

BILL 76 (2007)

Introduced: 10/03/07 By: CHARLES DJOU

Committee: BUDGET

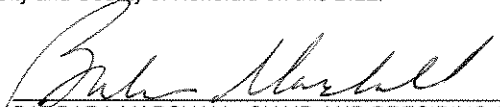
Title: A BILL FOR AN ORDINANCE RELATING TO BUILDING PERMITS AND FEES.

Links: [BILL 76 \(2007\)](#)
[CR-396](#)

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|------------------------|-------------|-----------------------------------------------------------------------------------------------------------|-------------|--------|----------|--|
| COUNCIL | 10/17/07 | BILL PASSED FIRST READING AND WAS REFERRED TO THE COMMITTEE ON BUDGET. | | | | |
| | APO Y | CACHOLA Y | DELA CRUZ Y | DJOU Y | GARCIA Y | |
| | KOBAYASHI Y | MARSHALL Y | OKINO Y | TAM Y | | |
| BUDGET | 10/24/07 | CR-396 - BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON SECOND READING AND SCHEDULING OF A PUBLIC HEARING. | | | | |
| PUBLISH | 10/27/07 | PUBLIC HEARING NOTICE PUBLISHED IN THE HONOLULU STAR BULLETIN. | | | | |
| COUNCIL/PUBLIC HEARING | 11/07/07 | BILL PASSED SECOND READING, CR-396 ADOPTED, PUBLIC HEARING CLOSED AND REFERRED TO BUDGET COMMITTEE. | | | | |
| | APO E | CACHOLA Y | DELA CRUZ Y | DJOU Y | GARCIA Y | |
| | KOBAYASHI Y | MARSHALL Y | OKINO Y | TAM Y | | |
| PUBLISH | 11/14/07 | SECOND READING NOTICE PUBLISHED IN THE HONOLULU STAR BULLETIN. | | | | |
| BUDGET | 11/28/07 | BILL DEFERRED IN COMMITTEE. | | | | |
| BUDGET | 01/09/08 | CR-8 (2008) - BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON THIRD READING. | | | | |
| COUNCIL | 01/23/08 | CR-8 (2008) WAS ADOPTED AND BILL 76 (2007) PASSED THIRD READING. | | | | |
| | APO Y | CACHOLA Y | DELA CRUZ Y | DJOU Y | GARCIA Y | |
| | KOBAYASHI Y | MARSHALL Y | OKINO Y | TAM Y | | |

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this BILL.


DENISE C. DE COSTA, CITY CLERK


BARBARA MARSHALL, CHAIR AND PRESIDING OFFICER